

**RECEIVED
CENTRAL FAX CENTER****FEB 03 2009**Docket No.: 59563(71699)
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Ronald Rodriguez et al.

Application No.: 10/523,498

Confirmation No.: 3398

Filed: February 4, 2005

Art Unit: 1654

For: PEPTIDES FOR TARGETING THE
PROSTATE SPECIFIC MEMBRANE
ANTIGEN

Examiner: S. R. Gudibande

RENEWED PETITION UNDER 37 CFR 1.137(b)MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Decision on Petition dated November 10, 2008, Applicants submit herewith a Renewed Petition Under 37 CFR 1.137(b). Applicants further submit herewith copies of the documents submitted with the Petition to Revive Unintentionally Abandoned Application filed on April 25, 2008. The copies were downloaded from the PAIR. Accordingly, Applicants submit that the PTO has received each and every page of the enclosed documents. Applicants further submit a request for a one month extension of time in which to submit this Renewed Petition Under 37 CFR 1.137(b).

The Decision states that "the petition is found to be filed by a patent practitioner acting in representative capacity; however, the petition does not set forth the petitioner's signature or registration number.

The Decision further asserts that "the petition fails to contain the required statement of unintentional delay."

Petitioners respectfully traverse these statements. Petitioners believe that the Decision was issued in error. It is evident from the enclosed copies, that page 2 of the Petition for Revival

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of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) contains the signature of Applicants' attorney, his registration number, and a statement indicating that the entire delay in filing the reply from the due date for filing the reply until the filing of a petition was unintentional.

Specifically, the petition contains the following section containing the undersigned Attorney's signature and registration number and the required statement.

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(c) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

 _____ Signature	_____ April 25, 2008 Date
_____ Jonathan M. Sparks, Ph.D. Typed or printed name	_____ 53,624 Registration Number, if applicable
_____ EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 Address	_____ (617) 517-5543 Telephone Number

Based on the foregoing, Applicants respectfully request that the Petition be granted and that this application be revived.

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CONCLUSIONS

In view of the above statement, Applicants' representative believes that the pending petition is grantable and that the application is in condition for allowance.

Dated: February 3, 2009

Respectfully submitted,

By 

Jonathan M. Sparks, Ph.D.

Registration No.: 53,624

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